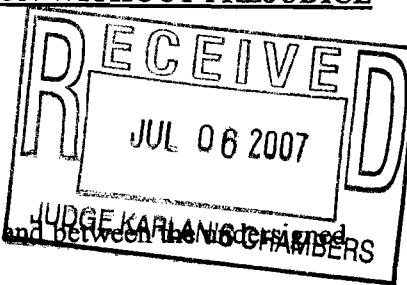


U.S. DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
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DATE FILED: 7/9/07
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re:	x	Chapter 11
Calpine Corporation, et al.,)	Bankruptcy Case No. 05-60200 (BRL)
Debtors.)	(Jointly Administered)
)	
)	United States District Court Civil Action
Columbia Energy LLC,)	No. 07-cv-4709 (LAK) (AJP)
Plaintiff,)	Adv. Pro. No. 07-1694
v.)	
South Carolina Electric & Gas Company)	<u>STIPULATION OF WITHDRAWAL OF MOTION WITHOUT PREJUDICE</u>
Defendant.)	
)	

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned
counsel for Columbia Energy LLC and counsel for South Carolina Electric & Gas Company, as
follows:



1. The motion to withdraw the reference of the above-captioned adversary proceeding (Adv. Pro. No. 07-1694) ("Motion to Withdraw Reference of Adversary Proceeding"), which was filed by South Carolina Electric & Gas Company, is withdrawn without prejudice to the refiling of the same; and

2. The above numbered case Civil Action No. 07-cv-4709, which was assigned to the Motion to Withdraw Reference of Adversary Proceeding at the time of its filing by South Carolina Electric & Gas Company in the United States District Court for the Southern

District of New York, is dismissed without prejudice pursuant to Fed. R. Civ. P. 41(a)(1) and without costs.

Dated: New York, New York
July 5, 2007

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SO ORDERED this 9 day of July, 2007


Lewis A. Kaplan
United States District Judge